

In Re:
James A. Buck

Case No.: 13-22607/ABA
Chapter: 7
Judge: Andrew B. Altenburg, Jr.

AMENDED

NOTICE OF PROPOSED PRIVATE SALE

Joseph D. Marchand, Trustee, in this case proposes to sell property of the estate to the persons and on the terms described below. If you object to the sale, you must file a written objection with the Clerk of the United States Bankruptcy Court and serve it on the party listed below not later than 7 days before the hearing date.

Address of the Clerk: Clerk of the United States Bankruptcy Court U.S. Post Office & Court House P.O. Box 2067 – 401 Market Street Camden, NJ 08101-2067

If an objection is filed, a hearing will be held before the Honorable Andrew B. Altenburg, Jr. on February 28, 2017 at 10:00 a.m. at the United States Bankruptcy Court, courtroom no. 4B, 400 Cooper Street, 4th Floor, Camden, NJ. (Hearing date must be at least 28 days from the date of this notice). If no objection to the sale is filed, the clerk will enter a Certification of No Objection and the sale will be held as proposed.

Description of property to be sold: 13 Turtle Creek Drive

Mullica Hill, NJ (Debtor has 50% interest in real estate)
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Terms:

Private Sale to be “free-and-clear” of all liens, with valid proven liens to attach to the proceeds of sale to the extent available, but not to the real estate.

From the proceeds of Sale, the Trustee shall pay all valid liens as determined by the Trustee in order of their priority. If there are insufficient funds to pay a valid lien holder in full, to the extent that there are insufficient proceeds, said lien holder shall then become an Unsecured Creditor of the debtor(s) Bankruptcy Estate.

The real estate is being sold “AS IS” without any warranties, either expressed or implied.

The Sale is null and void unless the Court enters the Order Approving Sale of Real Estate in which the Trustee’s Motion papers are simultaneously being filed with this Notice of Private Sale.

If the Sale is approved, the Trustee will supply a Trustee’s Deed at Settlement regarding the purchase of the real estate.

The aforementioned property is owned by Debtor, James A. Buck and non-debtor ex-spouse Carol A. Buck.

The Trustee and Attorney for Trustee reserve all rights under Section 506(c) to make application for costs, expenses and fees.

An unforeseen expense that arose during a home inspection as effectuated by the Purchaser. A report was generated by an Inspector indicating that there were certain problems with the Stucco at the Property that needed to be repaired. The cost for same was \$16,950.00. It was agreed in the Addendum (attached to a 2nd Supplemental Certification filed with the Bankruptcy Court) that there would be a credit given to the Purchaser at Settlement in the sum of \$16,950.00. In the 2nd Addendum it was agreed that same would be escrowed by the Title Company, who shall disburse pursuant to the Proposal namely 50% upon starting the job and 50% upon completion of the job. .

Trustee offers the following Liquidation Analysis:

Contract:		\$ 410,000.00
Real Estate Broker Fee (6%)	(-)	\$ 24,600.00
Mortgage Pay Offs:		
TD Bank(new amount)	(-)	\$ 152,593.49
Bank of America(new amount)	(-)	\$ 31,700.93
		\$ 201,105.58
Any Real Estate Taxes outstanding at settlement and other costs of settlement		Presently unknown
Reimbursed Co-owner's Expenses* (presently the Trustee is aware of the pool closing expense (\$200.00) and cost of the new pool liner installed (\$2,400.00); additional expenses may be due and owing to be resolved by the Trustee at Settlement)	(-)	\$ 2,600.00
		\$ 198,505.58
Cost for Stucco work(to be held in escrow by the Title Company)	(-)	\$ 16,950.00
		\$181,555.58
Divided by 2	=	\$ 90,777.79
Estimated Trustee Commission	(-)	\$ 18,532.05
Debtor's Exemption	(-)	\$ 22,975.00
Balance:		\$ 49,270.74

The Addendums and Schedule A regarding the Stucco Repairs have been filed with the Court and is available for review.

*Regarding the expenses being reimbursed to Co-owner the situation is fluid, there may be additional items that the Co-owner will need to be reimbursed and documentation will need to be supplied on same to satisfy the Trustee prior to any payment

Proposed Purchaser: Bryant L. Kidd & Rita A. Maglio Kidd, h/w

Sale price: \$410,000.00

☒ Pursuant to D.N.J. LBR 6004-5, I request to pay the real estate broker and/or real estate attorney at closing on the terms set forth below.

Name of Professional: Weichert Realtors - Medford

Amount to be paid: \$24,600.00

Services rendered: Real Estate Broker on Sale of Property

Higher and better offers will be received. They must be in writing and filed with the clerk not later than 7 days before the hearing date set forth above.

Objections must be served on, and requests for additional information directed to:

Name: /s/ Joseph D. Marchand, Esquire, Trustee

Address: 117-119 West Broad Street, P.O. Box 298, Bridgeton, NJ 08302

Telephone No.: (856) 451-7600

Imaged Certificate of Notice Page 4 of 5

United States Bankruptcy Court
District of New JerseyIn re:
James A Buck
DebtorCase No. 13-22607-ABA
Chapter 7**CERTIFICATE OF NOTICE**

District/off: 0312-1

User: admin
Form ID: pdf905Page 1 of 2
Total Noticed: 30

Date Rcvd: Jan 30, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 01, 2017.

db +James A Buck, 317 Holly Ave, Woodbury Heights, NJ 08097-1116
 cr +Banco Popular North America, 9600 W. Bryn Mawr, Rosemont, IL 60018-5209
 cr +Carol Buck, 13 Turtle Creek Drive, Mullica Hill, NJ 08062-2808
 cr +Toyota Motor Credit Corp, c/o Buckley Madole PC, 99 Wood Ave South #803,
 Iselin, NJ 08830-2713
 r +Weichert Realtors - Medford, 107 Taunton Road, Medford, NJ 08055-3475
 514163153 Allied Interstate, PO Box 631474, Columbus, OH 43236
 513991075 American Express, PO Box 1270, Newark, NJ 07101-1270
 514245252 American Express Bank, FSB, c/o Becket and Lee LLP, POB 3001, Malvern, PA 19355-0701
 513991076 +BAC Home Loans, 450 American Street, #SV416, Simi Valley, CA 93065-6285
 513991077 +Banco Popular North America, 9600 W. Bryn Mawr, Des Plaines, IL 60018-5209
 516113060 ERC/T-Mobile, PO BOX 23870, Jacksonville FL 32241-3870
 514163152 +Emergency Care Services of NJ, c/o HRRG, PO Box 5406, Cincinnati OH 45273-0001
 516201802 ++FOCUS RECEIVABLES MANAGEMENT LLC, 1130 NORTHCHASE PARKWAY STE 150, MARIETTA GA 30067-6429
 (address filed with court: Focus Receivables Management, LLC, 1130 Northchase Pkwy,
 Marletta, GA 30067)
 513991079 +Gloucester County Surigical, 163 Bridgeton Pike, Mullica Hill, NJ 08062-2669
 516182537 +MRS Associates, 1930 Olney, Cherry Hill, NJ 08003-2016
 513991080 +Meadowview Landscaping, LLC, c/o Ronald MacFarland, Esq., 1778 Route 47, PO Box 542,
 Woodbine, NJ 08270-0542
 514163148 ++NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096
 (address filed with court: NationStar Mortgage, PO Box 630267, Irving, TX 75063)
 514273500 +Popular Community Bank f/k/a Banco Popular, Rosner Nocera and Ragone LLP, 61 Broadway,
 Suite 1900, New York NY 10006-2706
 514163151 Rosner Nocera & Ragone, LLP, 61 Broadway, Ste. 1900, New York, NY 10006-2706
 514200476 ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,
 TRENTON NJ 08646-0245
 (address filed with court: State of New Jersey, Department of Treasury,
 Division of Taxation, PO Box 245, Trenton, NJ 08695-0245)
 516200324 SureRecovery PO Box 818, Jackson, NJ 08527-0818., Focus 1130 Northchase Pkwy, Marietta, GA
 514163150 ++TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026
 (address filed with court: Toyota Motor Credit Corporation, PO Box 8026,
 Cedar Rapids IA 52408)
 514016101 Toyota Motor Credit Corporation (TMCC), PO BOX 8026, Cedar Rapids, Iowa 52408-8026
 513991082 Wells Fargo Bank, PO Box 5058, MAC: P6053-021, Portland, OR 97208-5058

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

aty +E-mail/Text: jdmarchand@comcast.net Jan 31 2017 01:44:13 Joseph Marchand, Esq.,
 117-119 West Broad Street, PO Box 298, Bridgeton, NJ 08302-0228
 smg E-mail/Text: usanj.njbankr@usdoj.gov Jan 31 2017 01:43:15 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
 smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Jan 31 2017 01:43:11 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 516112844 +E-mail/Text: clientrep@capitalcollects.com Jan 31 2017 01:44:21 Capitol Collections,
 PO BOX 150, West Berlin, NJ 08091-0150
 513991078 E-mail/PDF: gecsed@recoverycorp.com Jan 31 2017 01:41:26 GE Capital, PO Box 960061,
 Orlando, FL 32896-0061
 514163149 +E-mail/Text: bankruptcy@td.com Jan 31 2017 01:43:20 TD Bank, NA, Operations Center,
 PO Box 1377, Lewiston ME 04243-1377

TOTAL: 6

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

516264985* American Express Bank FSB, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 513991081* ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,
 TRENTON NJ 08646-0245
 (address filed with court: State of New Jersey, Division of Taxation, Bankruptcy Section,
 PO Box 245, Trenton, NJ 08695-0245)

TOTALS: 0, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

District/off: 0312-1

User: admin
Form ID: pdf905

Page 2 of 2
Total Noticed: 30

Date Rcvd: Jan 30, 2017

***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 01, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 27, 2017 at the address(es) listed below:

Carrie J. Boyle on behalf of Debtor James A Buck cboyle@mpadlaw.com,
cjbecf@gmail.com;KGresh@mpadlaw.com;tegner@mpadlaw.com;djamison@mpadlaw.com;jhughes@mpadlaw.com
Charles G. Wohlrab on behalf of Creditor U.S. BANK, NATIONAL ASSOCIATION, AS TRUSTEE FOR THE
CERTIFICATE HOLDERS OF BANK OF AMERICA FUNDING CORPORATION 2009-FT1 TRUST, MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2009-FT1 cwohlab@logs.com, njbankruptcynotifications@logs.com
Denise E. Carlon on behalf of Creditor BANK OF AMERICA, N.A. dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Francesca Ann Arcure on behalf of Creditor Toyota Motor Credit Corp
nj_ecf_notices@buckleymadole.com
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com,
summarymail@standingtrustee.com
Isabel C. Balboa (NA) on behalf of Trustee Isabel C. Balboa ecf@standingtrustee.com
Joseph Marchand on behalf of Trustee Joseph Marchand jdmarchand@comcast.net,
jmarchand@comcast.net
Joseph Marchand on behalf of Plaintiff Joseph D Marchand jdmarchand@comcast.net,
jmarchand@comcast.net
Joseph Marchand jdmarchand@comcast.net, jmarchand@comcast.net;jmarchand@ecf.epiqsystems.com
Joshua I. Goldman on behalf of Creditor BANK OF AMERICA, N.A. jgoldman@kmlawgroup.com,
bkgroup@kmlawgroup.com
Peter A. Ragone on behalf of Creditor Banco Popular North America pragone@rnrlawgroup.com,
info@rnrlawgroup.com
Raymond H. Shockley, Jr. on behalf of Trustee Isabel C. Balboa ecf@standingtrustee.com
Thomas G. Egner on behalf of Debtor James A Buck tegner@mpadlaw.com,
kgresh@mpadlaw.com;djamison@mpadlaw.com;jhughes@mpadlaw.com
William Mackin on behalf of Creditor Carol Buck wmackin@shermansilverstein.com,
ign@shermansilverstein.com

TOTAL: 14